

To: Ostendorf, Jody[ostendorf.jody@epa.gov]; Smith, Claudia[Smith.Claudia@epa.gov]; Daly, Carl[Daly.Carl@epa.gov]
Cc: Morales, Monica[Morales.Monica@epa.gov]
From: Rothery, Deirdre
Sent: Thur 1/7/2016 1:57:16 PM
Subject: RE: U&O FIP: Staff Level Drafts

Hi Jody,

Thanks for the follow up. My thought is that we hold off on having an attorney look into this. I am looping Carl in, in case he has a different opinion based on his interactions with HQ on this rule.

Take care,

Dee

From: Ostendorf, Jody
Sent: Wednesday, January 06, 2016 2:48 PM
To: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>
Cc: Morales, Monica <Morales.Monica@epa.gov>
Subject: RE: U&O FIP: Staff Level Drafts

Hi Dee, Monica and Claudia,

Ex. 5 - Deliberative Process

So, should we still track down a legal opinion? Would that be Mike Boydston?

Thanks,

Jody

Jody Ostendorf

State Implementation Plan Program Manager

Uinta Basin Project Coordinator

Air Quality Planning Unit (8P-AR)

1595 Wynkoop Street

Denver, CO 80202-1129

303.312.7814

From: Rothery, Deirdre

Sent: Wednesday, January 06, 2016 11:57 AM

To: Ostendorf, Jody <ostendorf.jody@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>

Cc: Morales, Monica <Morales.Monica@epa.gov>

Subject: RE: U&O FIP: Staff Level Drafts

Hi Jody,

If you have not already heard back from Jan, please reach out to her.

Thanks,

Dee

From: Ostendorf, Jody
Sent: Monday, December 28, 2015 4:22 PM
To: Gilbreath, Jan <Gilbreath.Jan@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>
Cc: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Morales, Monica <Morales.Monica@epa.gov>
Subject: RE: U&O FIP: Staff Level Drafts

Thanks for this information Jan.

I have a clarifying question based on my review of the CRA guidance located here:

<http://intranet.epa.gov/actiondp/documents/craguidance15-10-15.pdf>

“The CRA exempts the following types of rules from the definition of rule:

Ex. 5 - Deliberative Process

Please let us know your thoughts, thank you!

Jody

Jody Ostendorf

State Implementation Plan Program Manager

Uinta Basin Project Coordinator

Air Quality Planning Unit (8P-AR)

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From: Gilbreath, Jan

Sent: Tuesday, December 22, 2015 1:07 PM

To: Smith, Claudia <Smith.Claudia@epa.gov>

Cc: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Ostendorf, Jody <ostendorf.jody@epa.gov>;
Morales, Monica <Morales.Monica@epa.gov>

Subject: RE: U&O FIP: Staff Level Drafts

Claudia,

Thanks very much for sending this. I'll start taking a look tomorrow.

Meanwhile, for you and Jody, I have a little information I promised you concerning applicability of the Congressional Review Act provision to an Agency final rule signed in August or September of 2016.

Ex. 5 - Deliberative Process

By the way, there used to be an OGC attorney who specialized in CRA provisions, but she retired two weeks ago. Not sure who will take up that work in her absence.

Jan

From: Smith, Claudia
Sent: Monday, December 21, 2015 5:24 PM
To: Gilbreath, Jan <Gilbreath.Jan@epa.gov>
Cc: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Ostendorf, Jody <ostendorf.jody@epa.gov>; Morales, Monica <Morales.Monica@epa.gov>
Subject: U&O FIP: Staff Level Drafts

Jan,

As promised last week, attached are some recent staff level drafts of the proposed Federal Register Notice and Technical Support Document for the Federal Implementation Plan for Existing Oil and Natural Gas Well Production Facilities on the Uintah and Ouray Indian Reservation in Utah, Docket ID EPA-R08-OAR-2015-0709, so that you can familiarize yourself with the proposed rulemaking. Please keep in mind that we are still in the process of addressing internal regional and headquarters staff level comments.

If you have any questions, feel free to contact me.

Thank you,

Claudia

Claudia Young Smith

Environmental Scientist

US EPA Region 8 Air Program

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Fax: (303) 312-6064

<http://www2.epa.gov/caa-permitting/caa-permitting-epas-mountains-and-plains-region>

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